



# SOUTH FLORIDA CHAPTER

## From the President's Corner

We are pleased to bring to you the first edition of the RMA South Florida Chapter newsletter for the 2012/2013 fiscal year. We are coming off a banner year as the South Florida Chapter finished the August 31<sup>st</sup> fiscal year by earning the distinction of Platinum Status. The Platinum Award is the highest achievement awarded by RMA national headquarters for exemplary performance of local RMA Chapters in organization, planning, and administration; education and professional activities.

### Going forward - what are you doing to invest in yourself?

Have you attended an RMA training course? What about an educational presentation? Have you considered earning your Credit Risk Certification (CRC)? Our networking events are a great way to meet other professionals to share your success stories. If you are interested in developing your leadership skills, there are opportunities to volunteer on the South Florida Board of Directors or participate in various committees. Please feel free to contact any of our Board Members with any questions.

### Recent and Upcoming Events:

- Our RMA YP Group co-sponsored "Speakeasy Politics 2012" on October 24<sup>th</sup> at the Harriet Himmel Theater in City Place, West Palm Beach. "Speakeasy Politics" began as a concept to organize Young Professionals in Palm Beach County, and provide a casual forum to discuss the topics most important to our community with their elected officials and candidates running for office. The event provided an opportunity for voters to meet with Elected Officials and Candidates on a one-on-one basis in an easy and fun atmosphere to discuss issues and answer questions. The politicians in attendance included almost every candidate running for office in Palm Beach County. An estimated 150 people including 40 politicians were in attendance to enjoy "An easy evening of shaking hands and kissing babies".
- Our Young Professionals Group for 2012/2013 is under the leadership of Kelley Herrmann of Florida Community Bank. The YP Group will be hosting monthly networking events at various locations in Palm Beach County and a series of lunch/learn seminars. Please contact Kelley to learn more about our YP Group and future events, you can contact him by e-mail at [kherrmann@fcb1923.com](mailto:kherrmann@fcb1923.com) or phone at 561-632-3983
- Our RMA YP Group held its first Healthcare Reform Seminar Series lunch and learn on January 16, 2013 at Panama Hattie's. This event featured a presentation by Alexis Villwock of Slaton Risk Services on how to assess

the cost associated with Health Care Reform and strategies to best structure organizations to minimize cost.

- We held two RMA sponsored educational classes this quarter in West Palm Beach: Lending to Municipalities on 10/26/12 and Lending to Medical & Dental Practices on 11/05/12, as both courses received excellent reviews from our attendees.

- Upcoming RMA Events include:

General Membership Networking Broward County	02/06/2013
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YP Group PBC Economic Update/Forecast Lunch & Learn	02/13/2013
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CB Richard Ellis-Real Estate Panel Event & Lunch	02/21/2013
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Understanding/Interpreting Commercial Real Estate Appraisals RMA Course	03/21/ 2013
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CEO/Executive Panel Event & Lunch	05/01/2013
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**I encourage you to please check out our website <http://community.rmahq.org/SouthFlorida/Home/> for more details on upcoming programs, educational events, networking events and more. Also, you can join our LinkedIn.com group and connect with RMA-South-Florida-Chapter.**

We want to thank you for your continued support. We could not have achieved Platinum Status without all of your participation. 2013 will be full of opportunities and surprises, but with the tools provided by RMA, we will be better equipped to meet these challenges. If you have any suggestions on how we could improve our local chapter, please share your thoughts by e-mail or phone at [rsastro@firstbankpb.com](mailto:rsastro@firstbankpb.com) or 561-847-2723.

Sincerely,  
Reese Sastro, Chapter President

### Inside This Issue

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## Member Spotlight



Steven L. Eassa, Senior Vice President  
Chief Lending Officer  
First Bank of the Palm Beaches

Steven L. Eassa is currently the Senior Vice President and Chief Lending Officer at First Bank of the Palm Beaches. Previously, Steve held various lending responsibilities at community banks in the market place and also owned a mortgage brokerage business. Notably, he served as Senior Vice President, Commercial Real Estate Manager for National City Bank Southeast Florida and prior to that served Fidelity Federal Bank & Trust for 22 years in many capacities culminating as Senior Vice President, Commercial Lending Manager.

Steve's community service is significant, currently serving on numerous committees at St. Mark's Episcopal Church in Palm Beach Gardens and Palm Beach Gardens Youth Athletic Association; he is also involved in The Economic Forum of Palm Beach County, The Forum Club of the Palm Beaches. In the past, Steve has been a member and served on committees for the Florida Bankers Association. Additionally, Steve has a Bachelors Degree in Finance from Florida State University and a Master's Degree in Business from Florida Atlantic University. Steve is a lifelong resident of Palm Beach County, and resides in Palm Beach Gardens with his wife Michele and son, Jacob. His activities include coaching youth athletics, boating, fishing and diving.

Steve decided to join the South Florida Chapter of RMA because this organizations various resources can provide valuable tools to manage risk in our business. Steve's primary responsibility is to identify and manage of all types of risk. The market data, professional development opportunities and networking opportunities provided through RMA are all tools that can be used in gathering resources and information to manage risk. The most valuable benefit of RMA has been the development of relationships with other professionals and the exchange of information related to our industry.

Steve understands that bankers are experiencing an evolution in banking and can provide leadership for our industry for years to come if we embrace the evolution, learn from the dynamics and remember the genesis of the change. The South Florida Chapter of RMA is fortunate to have such an insightful and experienced member. Please join us in thanking Steve for his devotion to our industry and our organization.

## The Attorney-Client Relationship

By: Frank P. Delia, Esq.

In any case that is being litigated there are many variables that will determine a successful resolution and how much money and pain it took to get there. Factors such as winning facts, affirmative defenses, competency of counsel, competence of the judge and the efficiency of the Clerk of the Court all play a role. One of the most important factors however is the attorney-client relationship. What separates this factor from the others above is it is a factor we can completely control. Having a good attorney-client relationship will increase your chances of success and will save costs during the life of the case.

Every attorney has their own philosophy of what their role is in the attorney-client relationship and what the client expects and what the client deserves. Some of the expectations I believe are universal. The client is entitled to effective, efficient and competent representation.

The attorney's decisions must be effective. For this to occur it is imperative that the client have input at all stages of a case. For this to occur the clients end goal must be determined and followed. It makes no sense to spend the client's money, let's say \$20,000 in legal fees to replevin business collateral when that business collateral is only worth \$5,000. What I always tell my clients is that my job is to give legal advice and prosecute the case in the courts on their behalf but ultimately they set the tone, pace and direction of the case. They are the boss. To increase the aforementioned effectiveness not only does the lawyer practitioner need to know the area of law involved and how to work within a particular court but also the practitioner needs to "communicate" with his client. Every new case assigned should prompt the attorney to have a thorough conversation with the client. The goal of the client should be discussed, any client matter notes should be reviewed. Once this is done the client should be given a game plan. In my experience, the more complete that initial case conference and the more complete the documentation, the smoother and cheaper the case will be to prosecute. Remember, the goal of the defendant is to delay the case as long as they can. This is because usually they have no real defenses. Despite this they will have defenses that need to be eliminated. My typical commercial foreclosure case usually advances like this: Demand for Payment, Complaint, Answer with Affirmative Defenses, Strike the defenses, discovery, Motion for Summary Judgment, Mediation, Bankruptcy filing and finally Summary Judgment or Settlement. About 25% of the time the defendant will agree to a consent judgment or a settlement but the defendant will make the client go through the entire case and be backed against the wall to make that happen. My goal is to place them in that position as quickly and as cost effectively as possible. This is why it is critical to get as much information and evidence supporting the case from the beginning. That information goes before the court immediately in the complaint and will be indisputable. For example, a common affirmative defense by a defendant would be one that states that there were payments made that the bank did not account for. If the loan history is discussed and produced at the initial client meeting (and thus attached to the complaint) that certainly makes it easier to defeat early on and results in less fees.

Efficient representation can be facilitated also by communication. In this case more communication is not always better. Quality is the key. The clients file should always be organized and on point. It is much cheaper for the client to have an organized and well documented file ready for the attorney. Simply put it is more cost effective for the client to organize a file then the attorney or their staff spending countless hours trying to organize a file.

Additionally, in the early stages of a case, the client knows the file better and is the best position to get the file together. Equally important for the attorney is to learn how the client operates and does business. This will help the attorney to quickly narrow the issues or in finding needed information in a clients loan documents. Again these issues should be discussed at the initial client meeting. The attorney must let the client know what they need to be successful and where they can find that certain information. In most cases I deal with experienced and proficient loan specialist but even if that is not the case it is the attorney's responsibility to let the client know what they need to be successful. That's part of what the client is paying for.

Competent representation starts at the initial client meeting. It is the attorney's job to ascertain the client's needs and how to get them to their goal as quickly and as efficiently as possible. The attorney should ask and the client should be ready to discuss the facts of the case or problem in detail. An interactive dialogue should occur. It's the best way to vet all the possible issues. For example, the client may tell you that It wants to bring an action for "Breach of Contract." A few strategic questions or statement by a competent attorney may reveal much more. That simple breach of contract may turn into a case of fraudulent inducement, conversion, theft or even criminal sanctions. Not only is it the attorney's job to vet this out but it also can allow for other avenues of recovery and increase your chance for successful judgment. It could also give the attorney more leverage in negotiations. To further my point and using this scenario, the client may only see breach of contract. The attorney then does not bother to inquire and look at all angles so does not find fraud in the inducement. All is well until the defendant files bankruptcy and recovery is now remote. If the attorney would have cared to inquire and did find fraud in the inducement then the client could have objected to the bankruptcy on bad faith grounds or objected to the discharge-ability of the client's particular debt. It is also an attorneys job to see what the client does not see and plan for the both the expected and unexpected.

In conclusion, the key to a good attorney-client relationship is communication throughout the case. It is especially important, early on in the case to communicate with the client. The client should provide a complete and organized file and be prepared to discuss the facts of the case. The lawyer should have an active conversation with the client to understand the clients goal, see if there are other issues and prepare for the most cost effective, thorough and efficient course of action. Anything less by the attorney is unacceptable.

As a member of the Firm's Commercial Litigation Practice Group, Mr. Delia focuses his practice on creditor's rights, commercial bankruptcy, commercial law and business litigation. Mr. Delia concentrates his practice in commercial foreclosures of real property and personal property interests representing institutional lenders and individual creditors. He has acted as trustee's counsel in complex bankruptcy cases and is a member of the Bankruptcy Bar throughout the State.

Frank P. Delia, Esq.  
KUBICKI DRAPER  
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West Palm Beach, FL 33401  
(561) 640-0303

Areas of Practice:  
- Bankruptcy and Creditors Rights  
- Commercial Foreclosure  
- Commercial Law and Business Litigation  
- Real Estate Litigation

## 2011-12 (South Florida) Board Officers & Committees

### President:

Reese Sastro, CRC, First Bank of the Palm Beaches 561-847-2723

### Vice President:

Bart Bishop, Fifth Third Bank 561-862-5109

### Past President:

Robin Henderson, Bank of America 561-838-2291

### Secretary:

Beau Marburger, Floridian Community Bank 561-333-5773

### Treasurer:

Christine Meyers, CPA 561-227-1534

### Membership Committee:

Bart Bishop, Fifth Third Bank 561-862-5109

Bob Harbers, Crestmark Bank 561-227-5885

Matt Westbrooks, BB&T 561-653-5564

### Communications/Marketing Committee:

Trey Fogg, PNC Bank 561-622-3788

### Program Committee:

Kirk Nelson, CB Richard Ellis 561-393-1614

Beau Marburger, Floridian Community Bank 561-333-5773

### Education Committee:

Jim Springer, Palm Beach Community Bank 561-681-7232

John Valenti, SunTrust Banks 561-835-2605

### YP Committee:

Kelley Herrmann, Chair, Florida Community Bank 561-632-3983

### YP Board Liaison:

Alexander Nall, PNC Bank 561-803-9725

### Nominating Committee:

Reese Sastro, First Bank of the Palm Beaches 561-847-2723

Robin Henderson, Bank of America 561-838-2291

Jim Springer, Palm Beach Community Bank 561-681-7232

Susan Rabinowitz, Co-Chair, Bank of America 561-838-2390

## Welcome New Members

Jack A. Buell, Jr.	Stonegate Bank
Timothy Dunn	First State Bank of the Keys
Steve Eassa	First Bank of the Palm Beaches
Trey Fogg	PNC Bank
Robert S. Hart	Small Business America, LLC
Juliet Kachmar	TD Bank
David B. Senderowitz	Southcott Sanders & Co.

New Institutional Member: First Bank of the Palm Beaches

**RMA South Florida Chapter Presents**



**OUR CALENDAR OF EVENTS**

**South Florida Chapter**

**General Membership Meetings & Educational Offerings in 2011/2012:**

**Date/Time/Location**

RMA Broward Membership & Networking Event at The Royal Pig Pub & Kitchen

February 6, 2013  
Ft. Lauderdale, FL {RSVP: [bart.bishop@53.com](mailto:bart.bishop@53.com)}

Young Professional RMA Presentation: Palm Beach County Economic Update and Forecast with Kelly Smallridge

February 13, 2013  
West Palm Beach, FL {Register Online}

CB Richard Ellis Presents: Palm Beach County Real Estate Panel Discussion with Scott O'Donnell, Bill Strauss and Calum Weaver

February 21, 2013  
Palm Beach Gardens, FL {Register Online}

**EDUCATIONAL OPPORTUNITY:**

Understanding/Interpreting Commercial Real Estate Appraisals

March 21, 2013  
West Palm Beach, FL {Register Online}

**EDUCATIONAL OPPORTUNITY:**

Advanced Real Estate Cash Flow Workshop

June 4, 2013  
West Palm Beach, FL {Register Online}

**Congratulations to our Chapter for winning Platinum in the Star Competition for 2011-2012**



Bill Githens, CEO of RMA (left), Reese Sastro (center), Bob Rose, Chairman of RMA (right)

Under the leadership of Past President Robin Henderson, the South Florida Chapter of RMA was awarded Platinum Status last year. This award represents the highest achievement and Chapter can receive; it is given to only one chapter in the region each year to highlight that chapter's accomplishments in education, membership growth and other community involvement.

**Joining RMA as an Associate is easy.** If you are an employee of an RMA Member Institution, you may join for a \$75 annual Associate fee and any local chapter dues. To find out more please contact Bob Harbers at 561-227-5885 ([rharbers@crestmark.com](mailto:rharbers@crestmark.com)) or Bart Bishop at 561-862-5109 ([bart.bishop@53.com](mailto:bart.bishop@53.com))

**Joining RMA is an investment in yourself and your future. Make that investment!**

**Special note from the editor:**

Our chapter presents opportunities for individuals to get involved. Chapters rely on the talents of volunteers to stage many of their programs, conduct membership development efforts, and promote the ideals of the Association. To find out more about how to can get involved, please contact

**Registration for events are welcome from our members and all prospective members. Please join us at our next meeting.**

For more information about our educational event schedule, contact: Education Committee Co-Chairs- Jim Springer [jspringer@pbcblink.com](mailto:jspringer@pbcblink.com) or John Valenti [john.valenti@suntrust.com](mailto:john.valenti@suntrust.com)

For information about RMA membership, contact: RMA Membership Co-Chairs – Bob Harbers, [rharbers@crestmark.com](mailto:rharbers@crestmark.com) or Bart Bishop [bart.bishop@53.com](mailto:bart.bishop@53.com)

If you have RMA Chapter news in the State of Florida, please pass it on to:

Trey Fogg, PNC Bank  
[Trey.Fogg@pnc.com](mailto:Trey.Fogg@pnc.com)